

**FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

(1) Joshua Dudley 90978
(Name of Plaintiff) (Inmate Number)

DCP 501 Mall Rd Harrisburg PA 17111
(Address)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Address)

(Each named party must be numbered,
and all names must be printed or typed)

vs.

CIVIL COMPLAINT

(1) Officer Tim Brown

(2) Officer Clark

(3) Sergeant Craig
(Names of Defendants)

(4) Officer HOWE (5) Officer HAMMER,
(Each named party must be numbered,
and all names must be printed or typed)

**FILED
SCRANTON**

JUL 03 2019

Am
PER _____
DEPUTY CLERK

TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS
 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

N/A

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? Yes _____ No _____
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? Yes _____ No _____
- C. If your answer to "B" is Yes:
1. What steps did you take? I wrote a grievance and they never responded.
 2. What was the result? Nothing changed which leads me to think my grievance was DESTROYED...
- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS

(1) Name of first defendant: Officer Tim Brown

Employed as Correctional Officer at Dauphin County Prison
Mailing address: _____

(2) Name of second defendant: Officer Clark

Employed as Correctional Officer at Dauphin County Prison
Mailing address: _____

(3) Name of third defendant: Sergeant Craig

Employed as Correctional Officer at Dauphin County Prison
Mailing address: _____

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. My Eighth Amendment right was violated by the mentioned Officers in which I was physically and psychological abused. Forced was applied

in order to gratuitously degrade me.

2. Cruel and unusual punishment of excessive force was sieged upon me by multiple officers which is unjustifiable and unprovoked.
3. I suffer psychologically the etiology resulting from Officers at the Dauphin County Prison, Sadistically and Maliciously attacked me for their own aggrandizement.

V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I am asking for financial compensation for my constant psychological suffering. Also for the profound physical abuse I endured.
2. I am asking that the Officers involved be suspended indefinitely from their job assignments.
3. I am asking that an investigation be started up on the OCP to prevent future inmates from suffering the fate I have.

I declare under penalty of perjury that the foregoing
is true and correct.

And now this 30 day of June, 2019:

Josh Dudley

(Signature of Plaintiff)

**DAUPHIN COUNTY PRISON
INCIDENT REPORT**

1185

PART I - INCIDENT REPORT

1. NAME OF INMATE <i>Dustin T. ...</i>	2. NUMBER <i>713125</i>	3. DATE OF INCIDENT <i>4/1/19</i>	4. TIME <i>11:15</i>
5. PLACE OF INCIDENT <i>Cell Block</i>	6. ASSIGNMENT <i>W-15</i>	7. HOUSING <i>C-1-4</i>	
8. INCIDENT <i>Incident Report - Testimony of inmate</i>			9. CODE <i>44-3</i>
10. DESCRIPTION OF INCIDENT <i>Officer Dustin T. ... has come to my cell to talk to me about my behavior. He asked me if I wanted my stuff back. I told him "I want my fuckin' stuff bitch".</i>			
11. SIGNATURE OF REPORTING OFFICER <i>M. R. K.</i>		12. NAME AND TITLE (PRINTED) <i>M. R. K. C.O.</i>	
13. INCIDENT REPORT DELIVERED TO ABOVE INMATE BY <i>C.O. K.</i>		14. DATE INCIDENT REPORT DELIVERED <i>4/1/19</i>	15. TIME INCIDENT REPORT DELIVERED <i>2205</i>
PART II - ACTION TAKEN			
16. COMMENTS OF INMATE TO OFFICER REGARDING ABOVE INCIDENT <i>"Fuck you you nut ass bitch" "I want my fuckin' stuff bitch"</i>			
17. IT IS THE FINDING: ("X" APPLICABLE BOX)			
<input checked="" type="checkbox"/> YOU COMMITTED THE PROHIBITED ACT AS CHARGED	<input type="checkbox"/> YOU COMMITTED THE FOLLOWING PROHIBITED ACT:	<input type="checkbox"/> YOU DID NOT COMMIT A PROHIBITED	
18. FINDINGS ARE BASED ON THE FOLLOWING INFORMATION <i>Testimony of inmate</i>			
19. ACTION TAKEN <i>Initials 3C ADN LT</i>			
20. DATE OF ACTION <i>5/3/19</i>			
MEMBER <i>[Signature]</i>	CHAIRPERSON <i>[Signature]</i>	MEMBER <i>[Signature]</i>	

DAUPHIN COUNTY PRISON

INCIDENT REPORT

PART I - INCIDENT REPORT

1. NAME OF INMATE Dudley, Joshua	2. NUMBER 90978	3. DATE OF INCIDENT 4/1/19	4. TIME 2226
5. PLACE OF INCIDENT PI-1	6. ASSIGNMENT Unsentenced	7. HOUSING PI-1 / Sqg	
8. INCIDENT CH-2 Self Mutilation CH-IN-3 Disruptive Behavior			9. CODE C1123 C11113
10. DESCRIPTION OF INCIDENT On above date and time Dudley, Joshua was found with blood on his hands. He admitted he have been punching the wall.			

11. SIGNATURE OF REPORTING OFFICER 	12. NAME AND TITLE (PRINTED) Sgt. C. May	
13. INCIDENT REPORT DELIVERED TO ABOVE INMATE BY 	14. DATE INCIDENT REPORT DELIVERED 4/1/19	15. TIME INCIDENT REPORT DELIVERED 2359

PART II - ACTION TAKEN

16. COMMENTS OF INMATE TO OFFICER REGARDING ABOVE INCIDENT I did that.

17. IT IS THE FINDING: ("X" APPLICABLE BOX)		
<input type="checkbox"/> YOU COMMITTED THE PROHIBITED ACT AS CHARGED	<input type="checkbox"/> YOU COMMITTED THE FOLLOWING PROHIBITED ACT:	<input type="checkbox"/> YOU DID NOT COMMIT A PROHIBITED

18. FINDINGS ARE BASED ON THE FOLLOWING INFORMATION Test of report of sentencing of inmates

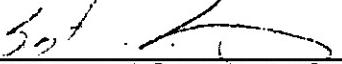
19. ACTION TAKEN Dudley is placed in solitary confinement

20. DATE OF ACTION 4/1/19	MEMBER 	CHAIRPERSON 	MEMBER
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DAUPHIN COUNTY PRISON

INCIDENT REPORT

PART I - INCIDENT REPORT

1. NAME OF INMATE Fusley, Joshua	2. NUMBER 90978	3. DATE OF INCIDENT 4/1/19	4. TIME 2228
5. PLACE OF INCIDENT P.I.	6. ASSIGNMENT In sentenced	7. HOUSING P.I.-1 Seg.	
8. INCIDENT C111-C C111-D Fighting behavior			9. CODE C111-1 C111-3
10. DESCRIPTION OF INCIDENT On the above date inmate Fusley, Joshua I.L.S. 1+1 with officer C.O. P.I. 1.			
11. SIGNATURE OF REPORTING OFFICER 			
12. NAME AND TITLE (PRINTED) B.J. C.			
13. INCIDENT REPORT DELIVERED TO ABOVE INMATE BY 	14. DATE INCIDENT REPORT DELIVERED 4/1/19	15. TIME INCIDENT REPORT DELIVERED 2326	

PART II - ACTION TAKEN

16. COMMENTS OF INMATE TO OFFICER REGARDING ABOVE INCIDENT

I Punked the wuckl.

I never fought with C.O.s they came in my cell and beat me up

17. IT IS THE FINDING: ("X" APPLICABLE BOX)

YOU COMMITTED THE
PROHIBITED ACT AS CHARGED

YOU COMMITTED THE FOLLOWING PROHIBITED ACT:

YOU DID NOT
COMMIT A PROHIBITED

18. FINDINGS ARE BASED ON THE FOLLOWING INFORMATION

FCYI C. 110 CIT 4 fighting of inmates

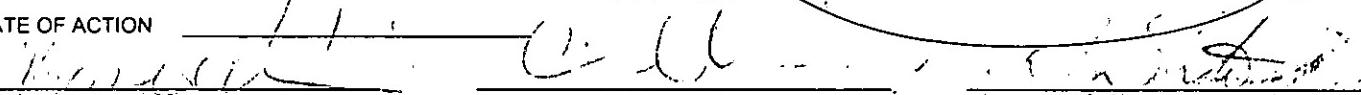
19. ACTION TAKEN

Guilty 16 days

Release from LI

7/14/19

20. DATE OF ACTION



MEMBER

CHAIRPERSON

MEMBER

(1)

I Joshua Dudley #90978 was penalized on the date of 4-1-19 with excessive force and was given cruel and unusual punishment I also suffered mental and physical abuse in the hands of the following officers Tim Brown, Officer Clark, Sergeant Craig, Officer Rowe, Officer Hammer.

On the date of April 1, 2019 I Joshua Dudley got into physical altercation on C-block in which I was transferred to PI-1 Cell on 2nd shift. Once in my cell I was waiting to receive my property such as legal work and hygiene products, also my sheets, blanket, towel and washcloth. When 3rd shift Officer Rowe was making her round I stopped her briefly by asking her a question inquiring about when I would receive my property. She replied to me by telling me she was in a "pissy mood and that she doesn't have time for my questions" I responded by telling her I understood her disposition. Yet that at the same time I just wanted my property such as hygiene which is permitted to inmates while on lock-in status and if I couldn't get that at least could I receive my sleeping material such as sheets and blanket so I can't go to sleep Officer Rowe then rudely responded by telling me that I would not receive my property until the following day; After hearing this I became frustrated. Considering the fact that I would have to sleep without any sheets on an old mattress in a very cold cell. I then responded by telling her "Fuck you, you dumb ass bitch I want my stuff." Officer Rowe began walking away from my cell and as she was doing this I punched my cell wall. Upon doing this I immediately noticed that I had wounded myself my hand began to bleed profusely (at a rapid rate) I then informed C.O. Rowe that I needed medical attention, I had an emergency. C.O. Rowe continued to walk away from my cell. As I was sitting in my cell pondering the events that just transpired while at

Same time I was expecting to receive medical attention, I noticed my cell door being opened yet instead of seeing a nurse I was surprisingly greeted by correctional officer Tim Brown and others my first attacker however was officer Tim brown who yelled the words "you want to Start problems motherfucker, you want to be tough motherfucker" while simultaneously (at the same time) began throwing punches at me, he first charged me punching me in the face, stumbled and dizzy from the first lethal blow I backed up and put my hands up vulnerable to cover my face. Officer Tim Brown continued to physically abuse me brutally in which he had me pinned up against my bed bunk, he then picked me up and slammed me onto the cell floor with great force. weak and dilapidated I used all my energy and will power to stand up once I finally stood up I was then immediately tackled (speced) in my abdomen back to the floor by another officer. Officer Tim Brown then exclaimed to me asking me question of "Do I believe in God motherfucker?", as he and other officers continued to punch me in my head, body while all the same time I was being kicked and kneeled by multiple officers with little dignity and self respect I had left I responded to officer Tim Brown's question by telling him "yes I do". He responded by telling me that "God wouldn't be here to save me now. After about 5 minutes being tortured physically by multiple correctional officers I heard Officer's call "All wards" over the radio I was then picked up by officers and placed in handcuffs, while waiting for the other officers to arrive Officer Tim Brown punched me in my face one more time, telling me that I was lucky that he didn't go 100 percent on me and that he only went 0 percent on me! Upon the arrival of more officers from the All wards Radio C91, one of the officers first on the scene.

(2)

Exclaimed to the officers responsible for my abuse "why did they call all guards because I was not even resisting any of the officers?" officers then had to physically place me in the restraining chair used by the DCP for combative inmates due to the fact of my languid condition I was physically weak and could not support myself on my own. While being placed in the restraint chair I noticed a recording camera recording my condition and actions. Frightened and still in a state of shock and disbelief I began saying the words "Yall can't do that, that wasn't right" I was abruptly told to "Shut up and to be quiet unless I wanted to receive further consequences worst then the consequences that I just got" Sergeant Craig is the officer who explained the previous statement to me. Still frightened for my life, terrified and paralyzed with fear. I listened to what Sgt Craig informed of and then proceeded to not speak any further while being transferred to the Segregated Housing Area. Once I was thrown in to my cell moments later Nurse Leena "Betty" came to take pictures of my injuries also doing my health assessment. Reading her facial expression Nurse Leena looked shocked and she asked me a question saying "what happened to you?" Still fearing the consequences of telling her the truth I only exclaimed "They beat me up, They fucked me up" without giving her further details. Noticing she was being monitored by a correctional officer neither I, nor Nurse LEENA "Betty" decided to exchanged any more words pertaining to how I reached such an horrific physical condition. My mouth and lips were bleeding, my face was bleeding and was battered with bruises including a large and horrendous black eye. I also suffered a bruised Rib cage. After my health assessment was completed my door was shut and I was left alone in my cell. While in segregation I did not go to sleep. Fearing

of my safety and still terrorified my mind would not allow me the peace or tranquility to allow my body the rest it needed after the physical, mental, and spiritual abuse that I had just received. Officers proceeded in asking me why wasn't I sleeping but I had no explanation for them. At the time I had no explanation for myself or for anything else. my mind was only focused on the beating that I received while I was being physically abused and assaulted by officers I had the feeling that I would suffer from instant and unexpected death at the hand of my keepers. when officer Tim Brown asked me the question of do I believe in God? and then stated to me that God wouldn't be able to save me now. I began to picture myself being sadistically murdered in cold blood in a single cell by officer Tim Brown myself and also his partners in this crime. Never in my life have I been picked up high into the air having no control over my body and its perception by anyone. Specifically a person of officer Tim brown chillingly enormous size and then repetitiously slammed onto a hard concrete floor. I have heard stories in the past about inmates being killed in prison by prison guards which lead me to think and believe that I would meet the same fate on the night of April 1-1-2019 since that night of April 1st, 2019 I have suffered not only physically in which I was moved from the Restrictive Housing unit to the medical block of the Prison due to the fact that my ribs were severely injured leaving me a little enough significant injury that the Prison officials had no choice but to succumb to the fact that I was not suitable to remain living on the normal block for inmates placed in the hole. But I also suffer mentally due to the fact that I was verbally abused and taunted maliciously while accompanied by physical and excessive abuse. I continue to suffer psychologically due the fact that I have had nightmares picturing myself being beaten to a bloody pulp by officer Tim Brown until the point

(3)

when I am left for dead. I even had a dream that the Prison had caught on fire and I seen all my fellow inmates making a run for their escape but when I tried to make my attempt at escaping from the fire, I was greeted by female officer Rowe who carried a whip in her hand in which she told me "what am I doing out of my cell get back in there and she began striking me with the whip leaving me to say "okay I will be a good boy I promise I will listen". After I experience these dreams I wake up in a cold sweat still shaken up from the whole affair might I add that officer Rowe stood in front of the cell door watching me get violated by the male officers involved. As a person with fair judgement I do not feel like the use of force used against me was justified. I postulate that the consequences I suffered were in result of a malicious retaliation from the officers who felt like I shouldn't have verbally disrespected elder female officer Rowe by calling her a bitch behind my cell door which was locked shut at the time. me punching my cell wall injuring myself did not give officers the right to use the aforementioned use of force against me. officers should have called for medical attention for my bleeding hand and given me a sanction (misconduct) for disrespecting officers. My physical and mental abuse was unprovoked and unjustifiable. I would now ask of to whom it my concern and of the courts that all of the officers included be removed / suspended indefinitely from their job assignments of being correctional officers. Any C.O. who has a disregard for the rules and proper conduct that he/she is supposed to follow when handling

an inmate or any situation while working at his/her job of being a C.O. Should not be privileged to work is one. I am also asking for financial compensation for the pain and suffering which I continue to have after experiencing such an horrific event, in which all my dignity, self-esteem and self-respect was stolen away from me, I now suffer the insecurities of everyday life knowing that I was looked at and treated by others as sub-human and unworthy of deserving to be treated fairly. The reasoning behind me waiting the allotted and delayed response as to what I just relayed to you is in the fact that I am incarcerated still and I'm constantly in my cell 23 hours a day. I had to research day by day the names of the officers involved in my mistreatment of cruel and unusual punishment while at my stay at the Dauphin County prison.

5. I just found out Nurse Leena dont work in the Dauphin County prison. She lost her job.



Clerk of Courts
United States District Court
235 North Washington Avenue
Scranton PA 18501-1148

NAME: Joshua Dudley
D.C.P. # 20978
DAUPHIN COUNTY PRISON
501 MAIL ROAD
HARRISBURG, PA 17111-299

RECEIVED
SCRANTON

JUL 03 2019

PER DEPUTY CLERK